

☐ Domestic Violence
 ☐ Child Abuse
 ☐ Arson
 ☐ Homicide
 ☐ Hate Crime
 ☐ Elderly
 ☐ Gang Related
 ☐ Liquor Establishment

I/Leads 8.2.1	Agency: SPD	Incident / Investigation Report	Case Number: 1000018
ASSAULT-TOUCHED TO INJURE			
Reported 01/01/2010 01:33		Found 01/01/2010 01:33	
Occurred 01/01/2010 01:33		Original Officer (1287) ALAMSHAW, N.	
Location 4282 N DRINKWATER BL , SCOTTSDALE, AZ			

Original Information	original page 1
Date added: 01/01/2010	Added by: (1287) ALAMSHAW, N.

Charges							
1	Type	Description	Statute	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com			
	S	ASSAULT-TOUCHED TO INJURE	13-1203A3				
Alcohol Drugs or Computers Used		Location type:	No. premises:	Forced Entry	Weapons		
<input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		highway/road/alley	0	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	personal weapons (hands, etc.)		
Entry		Exit					
Bias Motivation:		Bias Target:		Bias Circumstances:		Bias Group:	
Notes: Charge added via original report.							
2	Type	Description	Statute	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com			
	S	ASSAULT-TOUCHED TO INJURE	13-1203A3				
Alcohol Drugs or Computers Used		Location type:	No. premises:	Forced Entry	Weapons		
<input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		highway/road/alley	0	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	personal weapons (hands, etc.)		
Entry		Exit					
Bias Motivation:		Bias Target:		Bias Circumstances:		Bias Group:	
Notes: Charge added via original report.							
3	Type	Description	Statute	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com			
	S	DISORDERLY CONDUCT-FIGHTING	13-2904A1				
Alcohol Drugs or Computers Used		Location type:	No. premises:	Forced Entry	Weapons		
<input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		highway/road/alley	0	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	personal weapons (hands, etc.)		
Entry		Exit					
Bias Motivation:		Bias Target:		Bias Circumstances:		Bias Group:	
Notes: Charge added via original report.							

Status: CLEARED BY ARREST

Victim Rights? ☒ Yes ☐ No

CSS Requested? ☐ Yes ☒ No

1/6/2010 2:59:32 PM

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Original Information

original page 2

Date added: 01/01/2010

Added by: (1287) ALAMSHAW, N.

Victims

1	Type	Code	Name (Last, First, M.)	Sfx	AKA							
	I	VI	██████████									
SSN	DOB		Age	Race	Eth	Sex	Height	Weight	Hair	Eyes		
██████████	██████████		47	W	N	M	506	160	brown	blue		
License:		<input checked="" type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per		Number:		State: AZ		Marital: U	Resident: N	Citizen:		
Address:		██████████ CHANDLER AZ								Hm ph: ██████████		
Occupation		Employer (School) Name / Address: TEAM SECURITY									Mb ph: ()	
SUPERVISOR											Wk ph: ()	
Scars, marks, distinguishing features:												
Physical characteristics:												
Notes: Added via original report.												
2	Type	Code	Name (Last, First, M.)	Sfx	AKA							
	I	VI	██████████									
SSN	DOB		Age	Race	Eth	Sex	Height	Weight	Hair	Eyes		
600987035	9/9/1990		19	W	H	M	600	250	brown	brown		
License:		<input checked="" type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per		Number:		State: AZ		Marital: U	Resident: N	Citizen:		
Address:		██████████ MESA AZ 85207								Hm ph: ██████████		
Occupation		Employer (School) Name / Address: TEAM SECURITY									Mb ph: ()	
SECURITY GUARD											Wk ph: ()	
Scars, marks, distinguishing features:												
Physical characteristics:												
Notes: Added via original report.												

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Original Information

original page 3

Date added: 01/01/2010

Added by: (1287) ALAMSHAW, N.

Offenders

1	Type	Code	Name (Last, First, M.)		Sfx	AKA					
	I	OF	WHALEY, KEVIN								
SSN		DOB		Age	Race	Eth	Sex	Height	Weight	Hair	Eyes
				21	B	N	M	511	180	black	brown
License: <input checked="" type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per		Number:		State: MN		Marital:		Resident: N		Citizen:	
Address:										Hm ph:	
Occupation		Employer (School) Name / Address:									
		Wk ph: ()									
Scars, marks, distinguishing features:											
Physical characteristics:											
Notes: Added via original report.											

Narrative

On 01/01/2010, Kevin Whaley was arrested for assault and disorderly conduct at 4282 N. Drinkwater Blvd.

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Supplement Information

supplement page 1

Date added: 01/01/2010

Added by: (1287) ALAMSHAW, N.

Narrative

On 01/01/2010 at about 0133hrs I was on routine patrol riding a police mountain bike wearing a regulation blue uniform riding southbound at about 4282 N. Drinkwater Blvd.

As I was riding south at about 4282 N. Drinkwater Blvd. (Afterlife) I observed a group of about six black males arguing with two security guards from Afterlife. I was able to identify the security guards by the white polo shirts that had "Team Security" written on them. I then observed the group of black males begin walking north on Drinkwater away from Afterlife.

One of the security guards later identified as [REDACTED] flagged me down and advised me that he had been assaulted by one of the males in the group. He pointed at the offender (KEVIN WHALEY) and said "The guy in the stripped shirt assaulted me." At that time I went to contact the group of black males and identified myself by saying "Scottsdale Police." I told them to stop walking and that I needed to speak to them. I walked up to WHALEY and asked him what happened at Afterlife and he did not say anything. While I was trying to speak to WHALEY one of the other black males in the group began telling WHALEY to keep walking and to not stop for me. That black male was taller and was wearing a collared shirt. WHALEY continued walking away from me. The other five males then began yelling at me telling me to leave them alone. I requested back up at that time. While waiting for my back up to arrive the tall black male in the collared shirt began yelling at WHALEY to keep going. The tall black male then looked at me and said "Get the fuck away from us." WHALEY continued walking north on Drinkwater. At that time I gave an order for the entire group of black males to get on the ground. The group did not immediately comply with my order. At that time based on the fact that I was alone with the group of six black males I withdrew my taser and ordered everyone to get on the ground. The group did not comply with my order. At that time I activated my laser on the taser and advised the group that if they did not get on the ground they would be tasered. The group continued yelling at me telling me to leave them alone and that they did not want to stop. At that time I ordered them again to get on the ground. I pointed my taser at WHALEY and ordered him to the ground. He got on his knees and stayed in that position. The tall black male in the collared shirt did not comply with my order. At that time I grabbed him by his shoulder and pushed him to the ground and told him to stay on his knees. The others then complied with my order.

My backup arrived to the scene and I placed WHALEY in handcuffs behind his back. The handcuffs were then double locked. Once he was detained the group of black males began yelling that WHALEY was his team mate and that he did nothing wrong. I asked WHALEY what team he played for and he refused to say. He then said "I want my attorney." No questions were asked of WHALEY.

I went and spoke to [REDACTED] and he told me the following information. He was working as security for Afterlife when he was notified that WHALEY was disturbing some females inside of the club. [REDACTED] and [REDACTED] another security guard for Afterlife went to escort WHALEY out of the club. As they were escorting WHALEY out of the club he began trying to pull away from them and try to get back into the club. WHALEY broke free from the grips of [REDACTED] and [REDACTED]. When he did this WHALEY swung at [REDACTED] with his right fist and struck him in the chest. WHALEY then threw a punch at [REDACTED] striking him on the right side of his face. At that time [REDACTED] and [REDACTED] began to back up from WHALEY. At that time they saw the police riding by and notified them.

I did not observed any marks on [REDACTED] or [REDACTED] where they had been struck. They both stated that they were willing to aid in prosecution for Disorderly Conduct and Assault.

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Supplement Information

supplement page 2

Date added: 01/01/2010

Added by: (1287) ALAMSHAW, N.

Narrative

I issued WHALEY citation 1807014.

I mailed victims rights information packets to [REDACTED] and [REDACTED] on 01/02/2010.

He was later released by jail staff.

NFI

JMS Internal Booking Number		Alert/VP		CITY OF SCOTTSDALE ARREST REPORT				DNA previous		DNA taken		Fingerprinted		Photo	
		VP4										B		Y	
ORI #: AZ0072500		Agency: SPD				Arrest:		Case #: 10-00018							
Last, First, Middle Name WHALEY, KEVIN				Sfx:		Alias / AKA		Citizenship		Resident		Interpreter			
Race B		Sex M	Height 511	Weight 180	Eye BRO	Hair BLK	Scars, Marks, Tattoos, Amputations								
Place Of Birth (City, County, State) VA								SSN		Date Of Birth		Age 21	DL #		State MN
Relative Name				Relationship		Relative Address / Phone									
Home Address (Street, City, State, Zip) ORO VALLEY AZ 85704								Residence Phone		Occupation					
Employer (Name of Company / School)				Business Address (Street, City, State, Zip)								Business Phone			
												()			
Location of Arrest (Street, City, State, Zip) 4282 N DRINKWATER BL SCOTTSDALE AZ				Dist / Beat D2/06		Date of Arrest 01/01/2010		Arrest Time 01:33		Day of Arrest Friday					
ARREST	1	F/M M	Cnt 1	Charge ASSAULT-TOUCHED TO INJURE			State/Local 13-1203A3			Citation/Warrant# 1807014					
	Case# 10-00018			Bond		Dispo CR	Release Date 01/01/2010		Violation Date 01/01/2010		Court ORI SCOT				
ARREST	2	F/M M	Cnt 1	Charge ASSAULT-TOUCHED TO INJURE			State/Local 13-1203A3			Citation/Warrant# 1807014					
	Case# 10-00018			Bond		Dispo CR	Release Date 01/01/2010		Violation Date 01/01/2010		Court ORI SCOT				
ARREST	3	F/M M	Cnt 1	Charge DISORDERLY CONDUCT-FIGHTING			State/Local 13-2904A1			Citation/Warrant# 1807014					
	Case# 10-00018			Bond		Dispo CR	Release Date 01/01/2010		Violation Date 01/01/2010		Court ORI SCOT				
RELEASE	Release Notes: yellow cab 1222														
	Date of Booking 01/01/2010		Booking Time 01:59		Day of Booking Friday		Cell			Jailer Name # (B1398) ORONA, A.					
	Property Locker: DISTRICT 2 JAIL AREA LOCKER 37														
	Date of Release 01/01/2010		Release Time 6:3		Releasing Officer's Name			Agency / Division				ID#			
	Released To TAXI			Agency / Division						Agency Address					
	Property Taken: id card, watch - white, credit card, cellular telephone, belt														
	Date Taken: 01/01/2010		Taken By: (B1398) ORONA, A.			Date Returned: 01/01/2010		Returned By: (B763) WRASPIR, J.							
Receiving Officer							Releasing Officer (B763) WRASPIR, J.								
RELEASE	Related Cases														
	Alias/AKA														
Arresting Officer (1287) ALAMSHAW, N.					Transporting Officer					Supervisor (806) CONWAY, M.					